IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25671 of 2008
JAI PRAKASH MAHTO,
S/o Satya Narayan Mahto @ Jitendra Mahto, resident of village-Akharaghat,
P.S. Town, District- Muzaffarpur.
Versus
STATE OF BIHAR
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3. 17.10.2008 This is the case of misuse of privilege of bail.

The learned counsel for the petitioner submits that the petitioner is said to have absented on 18.6.2007, 7.7.2007, 16.7.2007, 24.8.2007 and 13.9.2007 before the trial court, hence, his bail bond was cancelled on 13.9.2007 and thereafter the petitioner surrendered on 17.1.2008 and since then he is in custody.

The leaned counsel submits that no doubt the absence is said to be of five dates but it spread over a period of six months only and that the petitioner has also is in custody since 17.1.2008 and thus he has been sufficiently penalized for his fault of absence before the trial court. The learned counsel says that he undertakes on behalf of the petitioner that in future the petitioner will be physically present before the trial court on each and every date unless specifically exempted by the Court.

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The petitioner will remain physically present before the trial court on all the adjournments fixed by the trial court and he will not absent without leave of the Court.

In the facts and circumstances of the case, the petitioner Jai Prakash Mahto is admitted to bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge, Muzaffarpur, in Kazimohammadpur P.S. Case No.130 of 1997, trial no. 30 of 2006.

(C.M. Prasad, J.)

Ravi/-